

TENNESSEE REGULATORY AUTHORITY

Sara Kyle, Chairman
Lynn Greer, Director
Melvin Malone, Director

460 James Robertson Parkway
Nashville, Tennessee 37243-0505

October 2, 2000

Mr. Charles Howorth
Regulatory Vice President
BellSouth Telecommunications, Inc.
333 Commerce Street
Nashville, TN 37201-3300

Dear Mr. Howorth:

While deliberating Docket Number 00-00627, *Tariff filing for Contract Service Arrangement TN 00-2108-02*, at the August 15, 2000 Authority Conference, BellSouth Counsel Guy Hicks stated "We are not aware of any CSA in Tennessee where a customer has asked to back out of their contract."¹ Shortly thereafter, on September 5, 2000, Lexus of Nashville filed a letter with the Authority indicating that they want to terminate their Contract Service Arrangement (CSA) with BellSouth but "would have to pay over \$23,000 dollars in penalties."² As the issue of termination liability is at the center of several ongoing TRA Dockets, we ask that you respond to the following questions:

1. How many times since July 1, 1995 has BellSouth assessed a termination liability charge to a customer in the state of Tennessee served under a CSA approved by the Tennessee Regulatory Authority or Public Service Commission? For each instance, please provide the following information: CSA Number, amount of the termination charge assessed, and the reason the customer gave for terminating the CSA.
2. How many times since July 1, 1995 has BellSouth assessed a contract termination liability charge to a customer in the state of Tennessee served under a CSA approved by the Tennessee Regulatory Authority or Public Service Commission that were lower than those called for in the CSA? For each instance, please provide the following information: CSA Number, amount of the termination charge assessed, and the reason the customer gave for terminating the CSA.

¹ See transcript of the August 15, 2000 Director's Conference, page 40.

² See TRA Docket 00-00702, Concern with CSA Between Lexus of Nashville and BellSouth.

3. How many times since July 1, 1995 has BellSouth released a customer in the state of Tennessee served from a CSA approved by the Tennessee Regulatory Authority or Public Service Commission without assessing a termination liability charge. For each instance, please provide the following information: CSA Number, amount of the termination charge waived, and the reason the customer gave for terminating the CSA.

4. How many times since July 1, 1995 has BellSouth been contacted by a customer located in state of Tennessee served under a CSA approved by the Tennessee Regulatory Authority or Public Service Commission for the purpose of terminating services provided under the CSA? For each instance, please describe in detail what BellSouth told the customer.

5. How many times since July 1, 1995 has BellSouth been approached by a customer served under a CSA approved by the Tennessee Regulatory Authority or Public Service Commission in the state of Tennessee concerning the application of a contract termination liability charge. For each instance, please describe in detail what BellSouth told the customer.

For the purposes of answering questions 6-10, the phrase 'tariff term plan' is defined as a service arrangement, including special promotions, offered to customers under BellSouth's general tariffs for a service term of three (3) months or longer.

6. How many times since July 1, 1995 has BellSouth assessed a tariff termination liability charge to a customer in the state of Tennessee served under a tariff term plan approved by the Tennessee Regulatory Authority or Public Service Commission? For each instance, please provide the following information: A reference to the applicable tariff termination provision, amount of the termination charge assessed, and the reason the customer gave for terminating service.

7. How many times since July 1, 1995 has BellSouth assessed a tariff termination liability charge to a customer in the state of Tennessee served from a tariff term plan approved by the Tennessee Regulatory Authority or Public Service Commission that were lower than those called for in the tariff? For each instance, please provide the following information: A reference to the applicable tariff termination provision, amount of the termination charge waived, and the reason the customer gave for terminating service.

8. How many times since July 1, 1995 has BellSouth released a customer in the state of Tennessee served under a tariff term plan approved by the Tennessee Regulatory Authority or Public Service Commission without assessing a tariff termination liability charge. For each instance, please provide the following information: A reference to the applicable tariff termination provision, amount of the termination charge assessed, and the reason the customer gave for terminating service.

9. How many times since July 1, 1995 has BellSouth been contacted by a customer located in state of Tennessee served under a tariff term plan approved by the Tennessee Regulatory Authority or Public Service Commission for the purpose of terminating services provided under the tariff? For each instance, please describe in detail what BellSouth told the customer.

10. How many times during the past 5 years has BellSouth been approached by a customer served under a tariff term plan approved by the Tennessee Regulatory Authority or Public Service Commission in the state of Tennessee concerning the application of tariff termination liability charges. For each instance, please describe in detail what BellSouth told the customer.

It is requested that this information be furnished by Thursday, October 12, 2000. If you have any questions regarding this matter, please contact Jerry Kettles at (615) 741-2791, extension 153.

Sincerely,

A handwritten signature in black ink, appearing to read "David Waddell". The signature is stylized with a large, looped "D" and a cursive "Waddell".

David Waddell,
Executive Secretary

Cc: Chairman Sara Kyle
Director Lynn Greer
Director Melvin Malone